

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 5745

52nd Legislature
1991 Regular Session

Passed by the Senate April 23, 1991
Yeas 45 Nays 0

President of the Senate

Passed by the House April 16, 1991
Yeas 86 Nays 12

**Speaker of the
House of Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Gordon Golob, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5745** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 5745

AS AMENDED BY THE HOUSE

Passed Legislature - 1991 Regular Session

State of Washington 52nd Legislature 1991 Regular Session

By Senators Moore, Matson, West, McMullen, von Reichbauer, Murray, Stratton, Anderson and Bauer.

Read first time February 19, 1991. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to special amusement game licenses; and amending
2 RCW 9.46.0331.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 9.46.0331 and 1987 c 4 s 30 are each amended to read
5 as follows:

6 The legislature hereby authorizes any person to conduct or operate
7 amusement games when licensed and operated pursuant to the provisions
8 of this chapter and rules and regulations adopted by the commission at
9 such locations as the commission may authorize. The rules shall
10 provide for at least the following:

11 (1) Persons other than bona fide charitable or bona fide nonprofit
12 organizations shall conduct amusement games only after obtaining a
13 special amusement game license from the commission.

14 (2) Amusement games may be conducted under such a license only as
15 a part of, and upon the site of:

1 (a) Any agricultural fair as authorized under chapter 15.76 or
2 36.37 RCW; or

3 (b) A civic center of a county, city, or town; or

4 (c) A world's fair or similar exposition that is approved by the
5 bureau of international expositions at Paris, France; or

6 (d) A community-wide civic festival held not more than once
7 annually and sponsored or approved by the city, town, or county in
8 which it is held; or

9 (e) A commercial exposition organized and sponsored by an
10 organization or association representing the retail sales and service
11 operators conducting business in a shopping center or other commercial
12 area developed and operated for retail sales and service, but only upon
13 a parking lot or similar area located in said shopping center or
14 commercial area for a period of no more than seventeen consecutive days
15 by any licensee during any calendar year; or

16 (f) An amusement park. An amusement park is a group of activities,
17 at a permanent location, to which people go to be entertained through
18 a combination of various mechanical or aquatic rides, theatrical
19 productions, motion picture, and/or slide show presentations with food
20 and drink service. The amusement park must include at least five
21 different mechanical, or aquatic rides, three additional activities,
22 and the gross receipts must be primarily from these amusement
23 activities; or

24 (g) Within a regional shopping center. A regional shopping center
25 is a shopping center developed and operated for retail sales and
26 service by retail sales and service operators and consisting of more
27 than six hundred thousand gross square feet not including parking
28 areas. Amusement games conducted as a part of, and upon the site of,
29 a regional shopping center shall not be subject to the prohibition on
30 revenue sharing set forth in RCW 9.46.120(2); or

1 (h) A location that possesses a valid license from the Washington
2 state liquor board and prohibits minors on their premises; or

3 (i) Movie theaters, bowling alleys, miniature golf course
4 facilities, and amusement centers. For the purposes of this section an
5 amusement center shall be defined as a permanent location whose primary
6 source of income is from the operation of 10 or more amusement devices;
7 or

8 (j) Any business whose primary activity is to provide food service
9 for on premises consumption and who offers family entertainment which
10 includes at least three of the following activities: amusement
11 devices; theatrical productions; mechanical rides; motion pictures; and
12 slide show presentations.

13 (3) No amusement games may be conducted in any location except in
14 conformance with local zoning, fire, health, and similar regulations.
15 In no event may the licensee conduct any amusement games at any of the
16 locations set out in subsection (2) of this section without first
17 having obtained the written permission to do so from the person or
18 organization owning the premises or an authorized agent thereof, and
19 from the persons sponsoring the fair, exhibition, commercial
20 exhibition, or festival, or from the city or town operating the civic
21 center, in connection with which the games are to be operated.

22 (4) In no event may a licensee conduct any amusement games at the
23 location described in subsection (2)(g) of this section, without, at
24 the location of such games, providing adult supervision during all
25 hours the licensee is open for business at such location, prohibiting
26 school-age minors from entry during school hours, maintaining full-time
27 personnel whose responsibilities include maintaining security and daily
28 machine maintenance, and providing for hours for the close of business
29 at such location that are no later than 10:00 p.m. on Fridays and

1 Saturdays and on all other days that are the same as those of the
2 regional shopping center in which the licensee is located.

3 (5) In no event may a licensee conduct any amusement game at a
4 location described in subsections (2)(i) or (j) of this section,
5 without, at the location of such games, providing adult supervision
6 during all hours the licensee is open for business at such location,
7 prohibiting school-age minors from playing licensed amusement games
8 during school hours, maintaining full-time personnel whose
9 responsibilities include maintaining security and daily machine
10 maintenance, and prohibiting minors from playing the amusement games
11 after 10:00 p.m. on any day.